



November 15, 2024

Timothy R. Beyer
Partner
Direct: +1 303 866 0481
tim.beyer@bclplaw.com

BRYAN CAVE LEIGHTON PAISNER LLP
1700 Lincoln Street Suite 4100
Denver CO 80203 4541
T: +1 303 861 7000
F: +1 303 866 0200
bclplaw.com

Hon. Valerie Figueredo
Daniel Patrick Moynihan
United States Courthouse, S.D.N.Y.
500 Pearl Street, New York, NY 10007

Via ECF

Re: *Kate Spade LLC et al. v. Vinci Brands LLC et al. (1:23-cv-05409-LGS-VF) & Vinci Brands LLC v. Kate Spade LLC et al. (1:23-cv-05138-LGS-VF)* – Letter Motion to Seal

Dear Judge Figueredo:

Pursuant to Your Honor’s Individual Rule I(g)(2), Coach Services, Inc., Kate Spade LLC, and Tapestry, Inc. (“KSNY”) respectfully request Your Honor’s approval to provisionally seal KSNY Exhibits 1, 2, 3 and 4 annexed to the parties’ joint letter concerning discovery disputes, to be addressed on November 19, at KSNY Action ECF No. [423], Vinci Action ECF No. [613] (“Joint Letter”).

In ruling on a motion to seal, the Court must consider “the privacy interests of those resisting disclosure.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006) (quoting *United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir. 1995)). On February 7, 2024, this Court so-ordered a stipulation and confidentiality agreement (“Protective Order”). Pursuant to the Protective Order, parties may mark documents produced in discovery as “Confidential” and “Highly Confidential – Attorney’s Eyes Only.”

TJX Companies (a non-party and subpoena recipient) marked KSNY Exhibit 2 as “Confidential.” ACS has marked KSNY Exhibits 1, 2, and 3 as “Confidential” and KSNY Exhibit 4 as “Attorney’s Eyes Only.” KSNY has attached these documents to KSNY’s portion of the Joint Letter. Accordingly, pursuant to the protections set forth in the Protective Order, KSNY requests that KSNY Exhibits 1, 2, 3, and 4 be provisionally sealed until TJX Companies and ACS have an opportunity to move to seal. Accordingly, KSNY has filed unredacted copies of KSNY Exhibits 1, 2, 3, and 4 under seal, attached to the Joint Letter, pending further Order from the Court. KSNY intends to serve a copy of any forthcoming order on KSNY’s request to provisionally seal these documents on TJX Companies through email service on its counsel.

We thank the Court for its attention to this matter.

The Honorable Valerie F. Figueredo
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Respectfully Submitted,

/s/ Timothy R. Beyer

Timothy R. Beyer

MEMO ENDORSED



**HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE**

Dated: 11/18/24

Interested parties are directed to make a showing for permanently sealing the documents under Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110 (2d Cir. 2006) by Monday, December 9, 2024.

KSNY EXHIBIT 1 (TO BE FILED UNDER SEAL)

**KSNY EXHIBIT 2
(TO BE FILED UNDER
SEAL)**

**KSNY EXHIBIT 3
(TO BE FILED UNDER
SEAL)**

**KSNY EXHIBIT 4
(TO BE FILED UNDER
SEAL)**